

REMARKS

Claims 11-25, 27-40, 52-55, 57, 59 and 60 are pending. Claims 11-22, 52-55 and 60 are withdrawn from consideration as being drawn to a non-elected Species. Rejoinder of claims 11-22, 52-55 and 60 is respectfully requested. By this Amendment, claims 23, 25, 57 and 59 are amended to recite features supported in the specification on page 20, line 26 – page 22, line 18, and Figs. 7A and 7B. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

I. Amendment Entry after Final Rejection

Entry of this amendment is proper under 37 CFR §1.116 because the amendments: a) place the application in condition for allowance for all the reasons discussed herein; b) do not raise any new issues requiring further search or consideration; c) place the application in better condition for appeal if necessary; and d) address formal requirements of the Final Rejection and preceding Office Action.

The foregoing amendments do not raise any new issues after Final Rejection. Therefore, entry of the amendments is proper under 37 CFR §1.116 because the amendments place the application in condition for allowance. Accordingly, Applicant respectfully requests entry of this Amendment.

II. Claims 23-25, 27-40, 57 and 59 Define Patentable Subject Matter

The Final Office Action rejects claims 23-25, 27-40, 57 and 59 under 35 U.S.C. §102(e) over U.S. Patent 6,110,531 to Paz de Araujo *et al.* (hereinafter “Paz”). This rejection is respectfully traversed.

A claim must be anticipated for a proper rejection under §102(a), (b) and (e). This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See MPEP §2131. Applicant asserts that the Final Office Action fails to satisfy this requirement with Paz.

Paz does not teach or suggest a method of fabricating ceramics, wherein a region for forming a ceramic film is part of a substrate, including, *inter alia*, forming a plurality of film-forming regions which are aligned in a predetermined pattern and have affinity to ceramics to be formed and a non-film-forming region having no affinity to ceramics to be formed on a surface of the substrate, to form self-alignably a ceramic film in the film-forming region, as recited in claim 23, and similarly recited in claims 25, 57 and 59.

Instead, Paz discloses a method for preparing an integrated circuit. In particular, Paz teaches a low-pressure CVD apparatus 1 with a deposition chamber 2, a substrate holder 4 that supports substrates 6, gas feeders 16, 22, 28 for supplying vapor through source manifold 14, and energy sources 8, 10, 12 (col. 5, lines 9-21 and Fig. 1 of Paz).

Applicant respectfully asserts that Paz does not teach or suggest a film-forming region and a non-film-forming region anywhere. Rather, Paz teaches "...the anneal[ing step] 632 is performed before or after the patterning of the capacitor 772" (col. 15, lines 43-48 and Figs. 10-11 of Paz). Thus, Paz teaches forming a capacitor by layering films to form a first electrode 758, a ferroelectric material 760 (by chemical vapor deposition or CVD) and a second electrode 777, and subsequently patterning the layered films. Thus Paz requires a film-forming process that differs from Applicant's claimed features, in which a ceramic film is formed in the film-forming region by self-alignment, *i.e.*, without patterning.

Further, Paz teaches that "the substrate 717 is prepared in step 612 by forming the layers 754, 756 and 758 on silicon wafer 751..." (col. 14, lines 13-15 of Paz). Thus, the first electrode 758 comprises the substrate. Moreover, Paz teaches an ABO_3 -type metal oxide formed on substrate 717 to produce the first electrode 758 by CVD, for example. Thus, the first electrode 758 is part of the substrate 717 and is distinguished from Applicant's claimed features for a film-forming region and a non-film forming region.

For at least these reasons, Applicant respectfully asserts that the independent claims are now patentable over the applied reference. The dependent claims are likewise patentable over the applied reference for at least the reasons discussed as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicant respectfully requests that the rejection under 35 U.S.C. §102 be withdrawn.

III. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Gerhard W. Thielman
Registration No. 43,186

JAO:GWT/gwt

Date: November 26, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

| |
|--|
| DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461 |
|--|